



PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: STOLZ PCT
SERIAL NO.: 09/284,109 EXAMINER: C. ATKINSON
FILED: APRIL 7, 1999 GROUP: 3743
TITLE: REGENERATIVE HEAT EXCHANGER

RESPONSE TO COMMUNICATION

ATT: BOX NON-FEE AMENDMENT
Assistant Commissioner for Patents
Washington, D.C. 20231

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OCT 24 2002
TECHNOLOGY CENTER R3700

Dear Sir:

This is in response to the Communication dated October 2, 2002, from the Patent Examiner in charge of the above-identified patent application indicating that the Amendment filed December 27, 2000, was non responsive.

In a telephone conference on October 15, 2002, with Patent Examiner Christopher Atkinson, it was respectfully pointed out to the Patent Examiner that the Amendment filed December 27, 2000, in response to the Office Action dated June 22, 2000, was in fact fully responsive. This is because there were no prior art rejections against the claims, and therefore no comment was required upon any prior art.

Furthermore all of the formal rejections under 35 U.S.C. § 112 were fully responded to. This is because the drawings were amended

to include the appropriate reference numerals, the Specification was amended to include the required section headings as well as a more detailed description of the subject matter set forth in the drawings. Also claims 54 to 81 were canceled without prejudice and new claims 82 to 109 were added, which overcame the formal objections against the claims. No new matter was introduced.

During this telephone conference on October 15, 2002, the Patent Examiner agreed that the previously filed Amendment of December 27, 2000, was fully responsive, and therefore the Communication dated October 2, 2002, was in error and will be withdrawn.

Respectfully submitted,
OLEG STOLZ PCT

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner of Patents, Washington, D.C. 20231, on October 16, 2002.


Lisa L. Vulpis